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FILED

JUN 21 2018

Clerk, U S District Court
District Of Montana
Billings

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN ALLEN WAGNER,

Defendant.

CR 18- 87 -BLG- SPW

INDICTMENT

**CONSPIRACY TO POSSESS WITH
INTENT TO DISTRIBUTE
METHAMPHETAMINE
(Count I)**

**Title 21 U.S.C. § 846
(Penalty: Mandatory minimum ten years to
life imprisonment, \$10,000,000 fine, and at
least five years supervised release)**

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE
(Count II)**

**Title 21 U.S.C. § 841(a)(1) and
Title 18 U.S.C. § 2
(Penalty: Mandatory minimum ten years to
life imprisonment, \$10,000,000 fine, and at
least five years supervised release)**

<p>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME (Count III) Title 18 U.S.C. § 924(c)(1)(A)(i) (Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED BY PRIOR DRUG- RELATED FELONY CONVICTIONS</p>
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THE GRAND JURY CHARGES:

COUNT I

On or about April 21, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, JOHN ALLEN WAGNER, knowingly and unlawfully conspired and agreed with other persons, known and unknown to the Grand Jury, to possess with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 500 grams or more of a substance containing a detectable amount methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

COUNT II

On or about April 21, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, JOHN ALLEN WAGNER, knowingly possessed, with the intent to distribute, 500 grams or more of a

substance containing a detectable amount methamphetamine, a Schedule II controlled substance, and did aid and abet the same, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

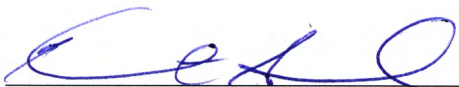
COUNT III

On or about April 21, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, JOHN ALLEN WAGNER, knowingly possessed a firearm in furtherance of a drug trafficking crime that may be prosecuted in a court of the United States, namely conspiracy to possess with intent to distribute, and possession with intent to distribute methamphetamine, as alleged in Counts I and II above, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

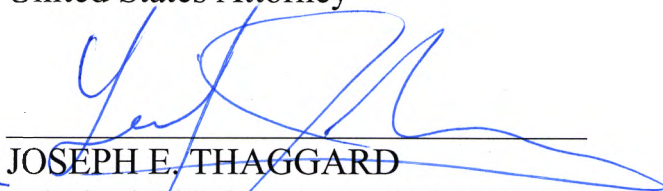
FOREPERSON


KURT G. ALME
United States Attorney

Crim. Summons _____

Warrant: ☒ _____

Bail: _____


JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney